



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: 035879/0122

In re patent application of

YU, XIANXHANG et al.

Serial No. 09/851,422

Filed: May 9, 2001

For: THERAPEUTIC PORE-FORMING PEPTIDES

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STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents
Washington, D.C. 20231
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

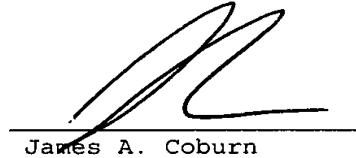
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

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Serial No. 09/851,422

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,



The image shows a handwritten signature in black ink, appearing to read "JC". Below the signature, the name "James A. Coburn" is printed in a smaller, standard font.

August 19, 2002
Date

HARBOR CONSULTING
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Atty. Dkt. No. 035879/0122

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xianxhang YU, et al.

Title: THERAPEUTIC PORE-FORMING
PEPTIDES

Appl. No.: 09/851,422

Filing Date: May 9, 2001

Examiner: Misook Yu

Art Unit: 1646

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AMENDMENT UNDER 37 C.F.R. § 1.121

Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the Notice to Comply mailed August 12, 2002, please amend the application as follows:

Please substitute the CRF copy of the Sequence Listing and the Sequence Listing filed concurrently herewith for the CRF copy of the Sequence Listing and the Sequence Listing filed on July 7, 2002. Please insert the substitute copy of the Sequence Listing filed herewith following the specification and before the claims, and renumber pages 1-6 of the Sequence Listing as pages 30-35.

The examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date 20 August 2002

By

George C. Best
Attorney for Applicant
Registration No. 42,322

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.

O I P E
AUG 27 2002

Application No.: 09/851,422

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
7. Other: _____

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Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing". TECH CENTER 1600/2900
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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